

O I P E
MAY 27 2003
PATENT & TRADEMARK OFFICE
DOCKET NO. 2343-114-27

#10/Response
6/5/03
James

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: MARK E. ZAPPI, ET AL.
SERIAL NO.: 09/837,189
FILING DATE: APRIL 19, 2001
FOR: ON-SITE BIOLOGICAL TREATMENT OF CONTAMINATED FLUIDS

ART UNIT: 1724
EXAMINER: CINTINS, I.C.

RESPONSE

RECEIVED

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

MAY 28 2003
GROUP 1700

SIR:

This Response is submitted in answer to the Office Action dated February 26, 2003, which set a three month period for response. Thus, this Amendment is considered timely filed on or before May 27, 2003 (Monday, May 26, 2003 being a Holiday).

REMARKS

Reconsideration and allowance of the above referenced application is respectfully requested.

Claims 1-14 are currently pending in the application. Claim 10 has been withdrawn from further consideration.

Claims 1-9 and 11-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato et al. (U.S. Patent 4,206,080) in view of Burnham et al. (U.S. Patent 5,997,812), further in view of Wieser-Linhart (U.S. Patent 5,762,662). Applicants respectfully traverse the rejection on the basis that every element of the claimed invention is not present in the